

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
))
v.) Criminal No.: 19-10080-NMG
))
DAVID SIDOO, *et. al.*,)
))
Defendants)

**GOVERNMENT'S MOTION FOR AN EXTENSION OF TIME, UNTIL MAY 8, 2020,
TO FILE AN OMNIBUS RESPONSE TO CERTAIN OF DEFENDANTS' DISPOSITIVE
MOTIONS, AND TO FILE AN OVERSIZED BRIEF**

On March 31 and April 1, 2020, the defendants filed the following 18 motions to dismiss parts of the indictment, sever defendants and counts, and suppress evidence:

No.	Motion	Docket No.
1	Defendant Wilson – Motion to Sever	992
2	Defendant Wilson – Motion to Dismiss	993
3	Defendant Wilson – Motion to Strike	994
4	Defendants' Motion to Suppress Wiretap and for a <i>Franks</i> hearing	1015
5	Defendants' Motion to Suppress Wiretap Evidence	1024
6	Defendants' Motion to Sever	1033
7	Defendant Zangrillo – Motion to Dismiss Counts 1 and 4 (in part)	1043
8	Defendant Zangrillo – Motion to Strike or Sever	1045
9	Defendants' Motion to Dismiss for Lack of Venue	1019
10	Defendants' Motion to Dismiss Count 1 (as to conspiracy to defraud testing companies)	1021
11	Defendant McGlashan – Motion to Dismiss Count 7	1023
12	Defendant Chen – Motion to Dismiss Count 5	1026
13	Defendants' Motion to Dismiss Pursuant to FRCP 8 and 12(b)(3)(B)	1031
14	Defendant Kimmel – Motion to Dismiss Pursuant to FRCP 12(b)(1) and (b)(3)(B)	1035
15	Defendants' Motion to Dismiss Counts 1 and 2 (conspiracy to commit honest services fraud/federal programs bribery)	1037
16	Defendants' Motion to Dismiss Count 3	1039
17	Defendants' Motion to Dismiss Count 1 (conspiracy to commit mail/wire fraud)	1041

Motion allowed, in part, and denied, in part; the government's omnibus brief will be limited to 65 pages.

18	Defendants Amy and Greg Colburn – Motion to Dismiss the Second Superseding Indictment	341 ¹
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The government's responses to all of these motions are due this Thursday, April 30, 2020. The government intends to file four briefs responding to the motions described in numbers 1-8. The government intends to file one additional omnibus brief responding to the motions described in numbers 9-18, as many of the arguments raised in those motions are related and the government believes a consolidated response will be more efficient.

Given the number of briefs filed by the defendants at one time, and the various issues raised in each, the government respectfully requests an additional week and one day, until May 8, 2020, to file its omnibus response to the motions listed in numbers 9-18. The government does not seek additional time to file its responses to the motions listed in numbers 1-8. In addition, since the government intends to respond to 10 briefs (totaling approximately 175 pages) in one, the government seeks permission to file an oversized brief of approximately 85 pages. The defendants assent to both of the government's requests.

Respectfully submitted,

ANDREW E. LELLING
United States Attorney

By: /s/ Karin M. Bell
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Justin D. O'Connell
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Karin M. Bell
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Dated: April 29, 2020

¹ Defendants Greg and Amy Colburn filed their motion on April 15, 2019 and it remains pending. Thus, there are 18 dispositive motions currently pending.

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants .

/s/ Karin M. Bell

Karin M. Bell

Assistant United States Attorney

Dated: April 29, 2020